

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 12-14 and 20 have been cancelled. Claims 1-11, 15-19 and 21 are pending and under consideration.

No new matter is being presented, and reconsideration of the pending claims is respectfully requested.

REJECTIONS OF CLAIMS 1-21 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY YOKONO ET AL. (U.S. PATENT NO. 6,529,946)

The rejections of claims 1-11, 15-19 and 21 are respectfully traversed and reconsideration is requested. Claims 12-14 and 20 are cancelled herein and, thus, the rejections thereof are considered moot.

On page 4 of the Action, the Examiner relies on Yokono et al. (hereinafter "Yokono"), column 23, line 8, to column 24, line 65, as disclosing encrypting the extracted contents, based on the read identifier, as recited in independent claim 1, for example.

Applicants respectfully disagree with the Examiner's interpretation of Yokono. Yokono discloses that "identifier" itself is encrypted to be sent and received, but fails to teach or even suggest that "contents" are encrypted by the identifier, as clearly recited in independent claim 1. (See, for example, column 23, lines 8-12, "[w]hen the password is input, the computer 20 advances the process from step F125 to step F126 to transmit the input password and the medium ID (serial number) recorded on the disk 90 to the charging server 2a via the network 7 after enciphering them.")

Furthermore, on page 4 of the Action, the Examiner relies on Yokono et al., column 15, line 64, to column 16, line 66, as disclosing a limiting condition, as recited in independent claim 1, for example.

Applicants respectfully disagree with the Examiner's interpretation of Yokono. The cited portion of Yokono merely describes "use record information", but makes not mention of a "limiting condition". This "use record information" of Yokono is used to avoid a possible occurrence of a duplicate download of the same information, as described in column 27, lines 15-20.

It is respectfully submitted that one of ordinary skill in the art would not interpret "use record information" as a "limiting condition", as recited in independent claim 1, for example.

Therefore, it is respectfully submitted that independent claim 1 patentably distinguishes over the cited reference. The remaining independent claims 2, 7, 8, 10, 15-19 and 21 recite features similar to said encrypting the extracted contents, based on the read identifier and/or said limiting condition, described above. Therefore, for at least the reasons provided above for independent claim 1, it is respectfully submitted that independent claims 2, 7, 8, 10, 15-19 and 21 patentably distinguish over the prior art.

The pending dependent claims inherit the patentability of their respective base claims and, thus, for at least the reasons provided herein, it is further submitted that the dependent claims patentably distinguish over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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